

**REMARKS**

Claims 1-20 were pending prior to this response. All claims were rejected. Claims 1, 3-6, 8, 9, 11, 13-15, 18, and 19 have been amended herein. Claims 2, 7, 12, and 20 have been cancelled herein. Reconsideration of the rejections of all rejected claims is requested.

**Rejection of Claims 1-20 Under 35 U.S.C. §102(a or b)**

Claims 1-20 were rejected under 35 U.S.C. §102(a or b) as being anticipated by any one of Alyfuku et al. (U.S. 4,664,495), Yoshida (U.S. 4,941,009), Yamaguchi et al. (U.S. 6,240,253), or Whiteside (U.S. 6,516,147).

**CLAIM 1**

Claim 1, as amended herein, is restated as follows:

A method for compensating for backlight conditions in a scene for use in a camera that includes a flash and a flash control signal for activating the flash when the flash control signal is asserted, the method comprising the steps of:

generating a meter matrix for a scene that includes a plurality of points, wherein each point includes brightness information and distance information, said generating comprising:

defining a subject group of points;

defining a background group of points;

generating at least one point in the subject group;

generating at least one point in the background group; and

determining the distance between the camera and the point in the subject group;

determining whether the distance between the camera and the point in the

subject group is less than a predetermined distance;  
when the distance between the camera and the point in the subject group  
is less than a predetermined distance;  
determining a general brightness level of the scene;  
determining whether the general brightness level exceeds a  
predetermined brightness threshold; and  
when the general brightness level exceeds a predetermined  
brightness threshold, asserting the flash control signal.

Claim 1 has been amended to incorporate the elements of claims 2 and 7.

The applicant respectfully notes that the rejection of all 20 claims based on four references is in a single paragraph in the office action. Should the rejection of claim 1 be maintained, the applicant requests that a correspondence between a reference and the elements of claim 1 be shown.

The applicant reviewed the references and is not aware of any reference disclosing all the elements of claim 1 as amended herein. Likewise, the cited references do not disclose the elements of claims 2 and 7 which have been incorporated into claim 1.

Based on the foregoing, the applicant requests reconsideration of the rejection.

#### CLAIMS 3-6 AND 8-10

Claims 3-6 and 8-10 are dependent on claim 1 and are deemed allowable by way of their dependence and for other reasons. Therefore, the applicant requests reconsideration of the rejections.

## CLAIM 11

Claim 11, as amended herein, is restated as follows:

A camera for capturing a scene, said camera comprising:  
a flash for emitting light in response to an asserted flash control signal;  
a scene separator for separating the plurality of points in a scene into a subject group and a background group;  
a meter matrix generator for generating a meter matrix based on information received from the scene; wherein the meter matrix includes a plurality of points; wherein each point includes distance information and brightness information;  
a brightness evaluator for selectively asserting the flash control signal based on brightness information of a point in the subject group and a point in the background group; and  
a distance evaluator for selectively asserting the flash control signal based on distance information of a point in the subject group and a point in the background group.

Claim 11 has been amended to incorporate the elements of claim 12.

As with claim 1, the applicant respectfully notes that the rejection of all 20 claims based on four references is in a single paragraph in the office action. Should the rejection of claim 11 be maintained, the applicant requests that a correspondence between a reference and the elements of claim 11 be shown.

The applicant reviewed the references and is not aware of any reference disclosing all the elements of claim 11.

Based on the foregoing, the applicant requests reconsideration of the rejection.

**CLAIMS 13-18**

Claims 13-18 are dependent on claim 11 and are deemed allowable by way of their dependence and for other reasons. Therefore, the applicant requests reconsideration of the rejections.

**CLAIM 19**

A camera for capturing a scene, said camera comprising:  
means for emitting light in response to an asserted flash control signal;  
means for generating a meter matrix based on information received from the scene; wherein the meter matrix includes a plurality of points; wherein each point includes distance information and brightness information; and

backlight compensation means coupled to the meter matrix generator for receiving the meter matrix and for selectively asserting the flash control signal based on the matrix meter, the backlight compensation means further comprising:

means for separating the plurality of points in a scene into a subject group and a background group;

brightness evaluation means for selectively asserting the flash control signal based on brightness information of a point in the subject group and a point in the background group; and

distance evaluation means for selectively asserting the flash control signal based on distance information of a point in the subject group and a point in the background group.

Claim 19 has been amended to incorporate the elements of claim 20.

As with claim 1, the applicant respectfully notes that the rejection of all 20 claims based on four references is in a single paragraph in the office action. Should the rejection of claim 19 be maintained, the applicant requests that a correspondence

between a reference and the elements of claim 19 be shown.

The applicant reviewed the references and is not aware of any reference disclosing all the elements of claim 19.

Based on the foregoing, the applicant requests reconsideration of the rejection.

In view of the above, all of the pending claims are now believed to be in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,  
KLAAS, LAW, O'MEARA & MALKIN, P.C.

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By:

Robert W. Nelson  
Robert W. Nelson  
Reg. No. 37,898  
1999 Broadway, Suite 2225  
Denver, CO 80202  
Tel: (303) 298-9888  
Fax: (303) 297-2266

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